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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,998	08/18/2003	John D. Hatlestad	GUID.058PA	2963
51294	7590	05/11/2007	EXAMINER	
HOLLINGSWORTH & FUNK, LLC			CRABTREE, JOSHUA DAVID	
8009 34TH AVE S.			ART UNIT	PAPER NUMBER
SUITE 125			3714	
MINNEAPOLIS, MN 55425			MAIL DATE	DELIVERY MODE
			05/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

10

Interview Summary	Application No.	Applicant(s)
	10/642,998	HATLESTAD ET AL.
	Examiner Joshua D. Crabtree	Art Unit 3714

All participants (applicant, applicant's representative, PTO personnel):

(1) Joshua D. Crabtree (3) Paul Sherburne.

(2) Kathleen Mosser. (4) Clara Davis.

Date of Interview: 08 May 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Sullivan et al. (US 5,245,995).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant remarked that Sullivan was not believed to have the feature of detecting a non-physiological ambient condition external to the patient, other than time, as recited in the claim. The examiner remarked that Sullivan does show the feature of detecting background noise (Col. 3: 3-13), which is a non-physiological ambient condition external to the patient. The applicant remarked that the cited passage in Sullivan does not show detecting of the same type of noise as the invention, or using the detected noise in the same manner as the claimed invention. The examiner indicated he would review any formally submitted arguments and/or amendments.

No agreement was reached with regard to patentability of the claims.